United Nations A/67/850–S/2013/253

General Assembly
Security Council

Distr.: General
30 April 2013
English
Original: Arabic

General Assembly
Sixty-seventh session
Agenda items 33, 94 and 105

Prevention of armed conflict

General and complete disarmament

Measures to eliminate international terrorism

Security Council
Sixty-eighth year

Identical letters dated 29 April 2013 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from the Government of the Syrian Arab Republic, I wish to draw your attention to the following information.

The Government of the Syrian Arab Republic has sent you several letters informing you of the reality of the terrorist attacks against it and its people, attacks that are backed by certain Arab, regional and Western States in pursuit of their own schemes and interests.

Moreover, since the current situation in the country began to unfold, the Government has regularly notified the Secretary-General of the United Nations and successive Presidents of the Security Council that certain States, foremost among which are Turkey, Qatar and Saudi Arabia, have repeatedly violated their commitments under the Charter of the United Nations and the principles and provisions of international law. Along with other States, they have backed the armed terrorist groups, providing them with funds, arms, military materiel, training and political and media support.

The Government of the Syrian Arab Republic now wishes to draw the attention of the Secretary-General, the President and members of the Security Council and other Member States of the United Nations to the statements regarding the Syrian Arab Republic that are contained in the report of the Panel of Experts established pursuant to resolution 1973 (2011) concerning Libya (S/2013/99):

- In paragraphs 37 and 67 to 70 of its report, the Panel highlights significant transfers of arms and fighters from Libya to several other locations including the Syrian Arab Republic. The Panel states that it has gathered evidence of the transfer of ammunition from Qatar to Libya, and that it found such

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ammunition during its inspections abroad in illicit transfers of materiel from Libya to other countries, including a transfer destined for the Syrian opposition. In paragraph 170, the Panel states that the significant size of some shipments and the logistics involved suggest that representatives of the Libyan local authorities might have at least been aware of the transfers, if not actually directly involved.

- In paragraphs 113, 114, 117, 158 and 168, the Panel indicates that the Syrian Arab Republic has presented a prominent destination for Libyan fighters, adding that a number of them have joined brigades as individuals or through networks to support the Syrian opposition. Transfers of weapons and Libyan military materiel have been organized under the supervision, or with the consent, of a range of actors in Libya and the Syrian Arab Republic and in countries neighbouring the Syrian Arab Republic, through networks and routes passing through either Turkey or northern Lebanon.

- With regard to the case of the *Letfallah II*, in paragraphs 71, 171 and 178 of its report, the Panel confirmed that the ship's cargo consisted of Libyan arms and ammunition that were transferred in breach of the arms embargo imposed on Libya. The arms included short range surface-to-air missiles, anti-tank guided missiles and various types of small, light and heavy weapons and ammunition. During its inspection of the materiel on board the vessel, the Panel found a box of ammunition with markings indicating that it is the property of the Qatar armed forces.

- In paragraphs 183 to 188, the Panel notes that, in September 2012, it was reported in *The Times* that a Libyan ship named *Al Entisar* had carried the largest consignment of weapons from Libya to Turkey, and that some of the 400 tons of materiel on board the ship had been transferred to the Syrian opposition.

- In paragraph 192 of its report, the Panel states that it had contacted the Belgian authorities to trace a number of assault rifles photographed in the Syrian Arab Republic in the hands of rebel fighters who said that the rifles had been sent from Libya. The results of the tracing indicate that the rifles were in fact part of a shipment containing rifles that had been found in Libya.

The Government of the Syrian Arab Republic believes that the substance of the Panel's report confirms the destructive role being played by certain States and that foreign intervention is exacerbating the crisis in Syria. The Government of the Syrian Arab Republic stresses that the transfer of arms purchased with Qatari and Saudi Arabian funds from Libya and other parts of the world to Syria through Turkey and parts of northern Lebanon is an act of aggression and a blatant violation of international law and the principles and purposes of the United Nations. It is also a grave violation of the Charter of the United Nations, in particular Article 2, paragraph 4, which provides that Members States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State; the Declaration on Principles of International Law Concerning Friendly Relations and Cooperation among States in Accordance with the Charter of the United Nations, adopted on 24 October 1970; and the Security Council resolutions on counter-terrorism, including resolutions 1267 (1999), 1373 (2001) and 1624 (2005), as well as resolution 1973 (2011) concerning Libya.

The Government of the Syrian Arab Republic therefore calls on the Secretary-General and the Security Council to condemn these acts of aggression that are targeted at the entire Syrian State, including its territory, Government and people, and hold responsible the relevant States and take the measures required to hold them accountable for their actions and compel them to desist from their destructive practices.

I should be grateful if this letter could be circulated as a document of the General Assembly, under agenda items 33, 94 and 105, and of the Security Council.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative

United Nations S/2013/254

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Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo

I. Introduction and Mission priorities

1. The present report is submitted pursuant to Security Council resolution 1244 (1999), by which the Council decided to establish the United Nations Interim Administration Mission in Kosovo (UNMIK) and requested that I report at regular intervals on the implementation of its mandate. It covers the activities of UNMIK, and developments related thereto, from 16 January to 22 April 2013.

2. The priorities of the Mission — to promote security, stability and respect for human rights in Kosovo and in the region — remain unchanged. In furtherance of its goals, UNMIK continues to intensify its constructive engagements with Pristina and Belgrade, the communities in Kosovo, and regional and international actors. The Organization for Security and Cooperation in Europe (OSCE) and the Kosovo Force (KFOR) continue to perform their roles within the framework of Security Council resolution 1244 (1999). The European Union Rule of Law Mission (EULEX) continues its presence in Kosovo in line with the statement by the President of the Security Council of 26 November 2008 (S/PRST/2008/44) and my report of 24 November 2008 (S/2008/692). The United Nations agencies, funds and programmes continue to work closely with the Mission.

II. Political developments, including the European Union-facilitated dialogue

3. During the reporting period, negotiations continued in the European Union-facilitated dialogue between Belgrade and Pristina. Seven additional rounds of dialogue were held between Prime Ministers Ivica Dačić and Hashim Thaçi under the auspices of the European Union High Representative for Foreign Affairs and Security Policy, Catherine Ashton, in Brussels on 17 January, 4, 14 and 21 March and 2, 17 and 19 April. On 6 February, Presidents Tomislav Nikolić and Atifete Jahjaga also met, for the first time, in the context of the dialogue in Brussels.

4. The discussions in the most recent rounds of the dialogue focused on the proposed "Association/Community" of Serb municipalities in Kosovo. These discussions reached a critical stage in late March and early April, particularly in the light of the expected progress reports on Serbia and Kosovo of the European Commission. After a series of intensive sessions, on 19 April, the parties initialled

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an agreement called "First agreement on principles governing the normalization of relations". The agreement, consisting of 15 points, provides for the establishment of such an association/community with a statute and range of competences. It envisages the holding of local elections in municipalities of northern Kosovo in 2013 with the facilitation of OSCE. The parties also undertook not to block the other side's progress in their respective European Union integration paths. An implementation committee comprising representatives from both sides is to be established under European Union facilitation. On 22 April, the agreement was approved in full by the Government of Serbia, the Assembly of Kosovo and the Government of Kosovo.

5. Progress was achieved in other areas of the dialogue, notably on exchanging liaison officers, with a Serbian liaison officer to be stationed in the premises of the European Union Special Representative in Pristina and a Kosovo liaison officer at the office of the European Union Delegation to Serbia. The terms of reference for the liaison officers have yet to be fully agreed upon, but the appointment of these officers should help facilitate more normalized communication between the two parties.

6. The parties also reached a provisional understanding on the collection of customs duties, levies and value-added tax at the two crossing points — gates 1 (Jarinjë/Jarinje) and 31 (Bërnjak/Brnjak) in northern Kosovo. It was envisioned that this revenue would be deposited in a development fund for northern Kosovo, managed by a tripartite committee, comprised of a representative of the northern Kosovo Serbs, the Kosovo authorities and the European Union.

7. While the main focus during the period under review was on the political dialogue, some developments were also reported in the implementation of the technical agreements already reached:

Civil registry books. On 24 January, EULEX handed over 972 certified copies of civil registry books to the Civil Registration Agency of Kosovo. Another 425 books were handed over on 6 February. It is estimated that there are approximately 12,036 Kosovo registry books in Serbia. The total of all certified copies has reached 2,626, covering the municipalities of Lipjan/Lipljan (848), Obiliq/Obilić (264), Fushë Kosovë/Kosovo Polje (219), Gllogoc/Glogovac (425) and Pristina (870).

Freedom of movement. Little progress was achieved on the issue of vehicle insurance. Efforts to find a solution to a costly insurance system currently affecting residents crossing in both directions by private vehicle are the subject of ongoing technical discussions.

Cadastre records. No major developments have taken place since the previous reporting period. The draft law on the Kosovo Property Comparison and Verification Agency, which is supposed to oversee the implementation of an agreement on cadastre records, passed in the first reading at the Assembly of Kosovo and is currently under review by the Legislative Committee.

Integrated management of crossing points. The implementation of the agreement began at gates 4 (Mutivodë/Mutivode) and 6 (Muçibabë/Mučibaba) on 28 February. In northern Kosovo, gates 1 (Jarinjë/Jarinje) and 31 (Bërnjak/Brnjak) continued to operate without major incidents and traffic proceeds without significant delays.

Regional cooperation. On 28 February, Kosovo was admitted to the Regional Cooperation Council as a participant. This followed the decision of the Council Board to amend the statute and the list of participants of the Regional Cooperation Council based on the understanding reached between Belgrade and Pristina, in the European Union-facilitated dialogue, on the interpretation of the agreement on regional cooperation (see S/2012/818, para. 4).

Certification of diplomas. A second session of diploma certification took place in Brussels on 10 and 11 January 2013 under the auspices of the European University Association. A total of 167 applications were submitted: 156 from Kosovo and 4 from Serbia, along with 7 modified applications from the last certification session. Out of the 167 applications, 140 were accepted and 27 were not.

Free movement of goods (customs stamps). The agreement has been implemented since September 2011 without any major incidents, with the exception of crossings at gate 1 and gate 31 in northern Kosovo.

8. During the reporting period, Kosovo's major political parties reached informal agreements on general principles for an electoral reform. On 4 February, all political parties, with the exception of Vetëvendosje, agreed that Kosovo should remain a single electoral district. An understanding was also reached to reduce the campaign period from 30 to 15 days. On 29 March, the major political parties also agreed to maintain a proportional ballot with open lists, and to define the respective thresholds to be applied to political parties, pre-election coalitions and independent candidates in order to be represented in the Assembly. It was also agreed that the non-majority communities should continue to hold reserved seats in the Assembly.

9. On 25 and 26 January, the ruling Democratic Party of Kosovo (PDK) held its general convention, which re-elected Prime Minister Hashim Thaçi as the Party President for a further four years. Delegates also elected a new 150-member Steering Council, which in turn has elected a 31-member party presidency and 7 Party Vice-Presidents.

III. Northern Kosovo and developments on the ground

10. As talks proceeded in the European Union-facilitated dialogue in Brussels, Serbs residing in northern Kosovo continually expressed their anxiety about the substance of the negotiations, and their determination to resist implementation of any agreements that would fail to meet their interests or minimum conditions.

11. On 21 January, a joint session of the Belgrade-sponsored northern municipal assemblies, held in Zveçan/Zvečan, reiterated its opposition to the inclusion of the north in Kosovo's customs system. Participants also called upon Serbia's Constitutional Court to review the constitutionality of the customs arrangements agreed during the dialogue sessions in Brussels. On 30 January, an estimated 2,500 people peacefully protested against the collection of customs fees at crossing points in northern Kosovo.

12. The four Belgrade-sponsored northern municipal assemblies of northern Mitrovica — Leposaviq/Leposavić, Zveçan/Zvečan and Zubin Potok — subsequently held a number of joint sessions in connection with the ongoing dialogue between Belgrade and Pristina, repeatedly reaffirming their rejection of any agreement that

would extend the authority of Pristina to northern Kosovo. On 19 March, on the eve of the seventh round of talks in Brussels, municipal representatives warned that if an agreement was to be reached that would not respect the will of Kosovo Serbs, they would establish their own "Parliament of Northern Kosovo". On 3 April, a day after the eighth round of talks, they welcomed the fact that no agreement had been reached. They called on Serbia's Constitutional Court to rule on the constitutionality of the regulations of the Government of Serbia issued in line with the agreements reached in the dialogue. They also called for UNMIK to replace EULEX, negotiations to resume under the oversight of the Security Council, and for Russian troops to return as part of KFOR. On 19 April, the four municipal assemblies met again just hours before the Belgrade and Pristina delegations met to reiterate their position against an agreement. On 22 April, following the initialling of an agreement by the two parties in Brussels on 19 April, more than 10,000 Kosovo Serbs gathered in northern Mitrovica to denounce the agreement and to call for the establishment of an "Assembly of the Autonomous Province of Kosovo and Metohija".

13. Earlier, on 19 February, local employees from the public and private sector institutions held another protest against the operation of central Kosovo institutions in northern Kosovo. On that day, a delegation of northern Kosovo Serb political leaders also travelled to Belgrade to express to Serbian officials their dissatisfaction at the postponement of the Serbian Constitutional Court review of the agreements reached to date in the European Union-led dialogue.

14. Kosovo Serbs also continued to maintain informal check points in Zubin Potok and Zveçan/Zvečan to prevent Kosovo border police and customs personnel from accessing by road gates 1 and 31 in northern Kosovo. As a result, EULEX continued transporting Kosovo personnel by helicopter for their 72-hour shifts at both gates.

15. During the reporting period, the Director of the Serbian Government Office for Kosovo and Metohija, Aleksandar Vulin, continued to visit northern Kosovo and other parts of Kosovo to inform the local population and leaders on the developments in the European Union-facilitated dialogue.

16. In northern Mitrovica, the existence of multiple competing authorities continued to result in tensions, notably in ethnically mixed neighbourhoods. The Mitrovica North Administrative Office, established by Pristina, has provided various important administrative services, but cannot exercise effective jurisdiction in the Serb majority areas of northern Mitrovica. Relations between the Mitrovica North Administrative Office and the southern Mitrovica Municipality, however, improved during the reporting period, although southern Mitrovica persisted in engaging in some activities that the Mitrovica North Administrative Office claims fall within its own jurisdiction. The southern Mitrovica Municipality, in spite of its stated readiness to give greater support to the Mitrovica North Administrative Office, continues to present itself in public as the legitimate legal entity for matters in north Mitrovica. Despite the challenges to its work, the UNMIK Administration Mitrovica continues to perform important functions in conflict prevention, mediation, inter-community reconciliation and facilitation.

17. In mid-March, heavy rains and snowfall caused flooding in many villages throughout northern Kosovo resulting in damage to local bridges, homes and livestock. The prompt response and assistance of KFOR to the population in Zubin Potok were widely welcomed and appreciated by local representatives in northern Kosovo.

IV. Security

18. The overall security situation in Kosovo remained generally calm during the reporting period, with occasional tensions in ethnically mixed areas and in northern Mitrovica.

19. Incidents involving the use of small explosive devices increased, particularly during February. Between 16 January and 17 April, 19 such explosions were recorded in northern Kosovo, 15 of them caused by hand grenades. Nearly all of the incidents resulted only in material damage. However, on 4 February one such attack injured two children in the ethnically mixed neighbourhood of Bosniak Mahalla in northern Mitrovica.

20. Incidents apparently targeting the staff of the Mitrovica North Administrative Office, assets and projects continued to occur in northern Mitrovica. On 27 January, a hand grenade was thrown and exploded in the yard of a Kosovo Serb employee of the Office. On 8 February, an explosion detonated under a vehicle owned by a Kosovo Serb who reportedly was considered for employment with the Office. On 25 February, a hand grenade exploded in an apartment owned by a Kosovo Serb employee of the Office, and again on 28 February a hand grenade was thrown at the house of a Kosovo Bosniak whose son works for the Office. On 13 April, unknown perpetrators tossed an explosive device at the residence of a Kosovo Serb employee of the United States Agency for International Development in Zveçan/Zvečan, which damaged two vehicles belonging to the Kosovo Serb's family.

21. There were five serious incidents of shootings and explosions affecting the Kosovo police in northern Kosovo. On 27 January, a vehicle belonging to the wife of a Kosovo police officer was shot at, and on the following day an officer's private vehicle was also shot at and damaged. On 19 February, an explosive device detonated in the yard of a Kosovo Bosniak police officer. On 19 March, a hand grenade exploded at the entrance of the Leposaviq/Leposavić police station, causing damage to the building. On 24 March, a Molotov cocktail was thrown at a private vehicle in front of the Zveçan/Zvečan police station, causing a small fire. Each of these incidents is under investigation.

22. In the ethnically mixed neighbourhood of Kroi i Vitakut/Brdjani in northern Mitrovica, where violent clashes took place last November, the Kosovo-Albanian owner of a house currently under construction reported to the Kosovo police on 11 April that the house was set on fire, leading to renewed security concerns. UNMIK continues to closely monitor the situation in the area.

23. On 1 April, the office of the Civic Initiative "Serbia, Democracy, Justice" was set on fire by unidentified perpetrators. On 7 April, the northern Mitrovica office of the Serbian Progressive Party was stoned, also by unidentified perpetrators.

24. In response to the rise in security incidents, a number of which seems to reflect a struggle to assert authority over north Mitrovica, the Kosovo police, EULEX and KFOR have increased the visibility of their regular patrols and stepped up other preventive measures in northern Mitrovica.

25. Throughout Kosovo, the most common incidents affecting minority communities continued to be theft, property damage, the illegal occupation of houses, arson of uninhabited houses and minor assaults. These trends continue to be of particular concern in western Kosovo. The Kosovo police continue to undertake

efforts to investigate incidents affecting the minority communities. In February, the police arrested a group of alleged perpetrators suspected of committing thefts at religious sites in eastern and southern Kosovo.

26. Between 13 and 22 January, a wave of vandalism and destruction at Serbian Orthodox cemeteries took place across Kosovo. UNMIK and representatives of the international community condemned the acts. Nine suspects were arrested and charged by the Kosovo police. Five Kosovo police officers were also suspended. The Kosovo authorities allocated 97,000 euros for the repair and reconstruction of the damaged sites.

27. On 20 March, four Kosovo Albanians crossed the border/boundary for illegal wood cutting near the Serbian village of Tačevac (Kuršumlija municipality). During a subsequent exchange of fire with the Serbian Gendarmerie, one of them was wounded.

V. Rule of law

28. UNMIK continued to monitor activities and exercise its remaining responsibilities in the rule of law area, to support the EULEX mission and to cooperate at the technical level with the Ministry of Justice and the Ministry of Internal Affairs of Kosovo, as well as with the Ministry of Justice of Serbia.

29. The UNMIK police has continued to facilitate international police cooperation as necessary and processed 58 related requests from various national police authorities. The UNMIK INTERPOL Liaison Unit facilitated the issuance of eight Red Notices of the International Criminal Police Organization (INTERPOL) and three extraditions. On 14 February, UNMIK and EULEX conducted a briefing for the Kosovo Ministry of Justice on the work of the UNMIK INTERPOL Liaison Office, including on the proper procedures for international wanted notices.

30. With direct support and encouragement by UNMIK, some progress continued to be made on the issue of missing persons. The International Committee of the Red Cross reported that as at 3 April, 11 additional cases were resolved and closed during the reporting period. A total of 1,754 individuals remain missing from the conflict. On 9 April, EULEX exhumed the remains of seven presumed missing persons in the Muslim cemetery of northern Mitrovica.

31. UNMIK continued to provide document-certification services to Kosovo residents, at the request of some non-recognizing Member States, primarily for the certification of civil documents. There was a significant increase in the number of requests for certification of pension documents to be used in Serbia following the 2012 ruling by the European Court of Human Rights, which obliged Serbia to ensure the payment of pensions and disability insurance acquired under the Socialist Federative Republic of Yugoslavia. Meanwhile, UNMIK continues to provide certification of certain types of educational documents not covered by the agreement on the "Certification of Diplomas" between Belgrade and Pristina.

32. On 15 March, the Assembly of Kosovo debated a highly controversial proposal by a PDK deputy to establish an ad hoc committee to review the "Kiçina" case, in which four people were sentenced to a combined 101 years for the murder of a family of five in 2001, a decision confirmed by the Supreme Court of Kosovo in 2009. The motion was not put to a vote in the Assembly. Many representatives of

the international community, including my Special Representative, strongly objected to the attempted political interference in the work of the judiciary, and it has since been abandoned.

33. In Deçan/Dečani, negative reactions continued to the 28 December 2012 decision of the Special Chamber of the Supreme Court rejecting the land property claim by two former socially owned enterprises against Serbia and the Visoki Dečani Serbian Orthodox Monastery. Five peaceful public protests took place in the municipality during the reporting period. During one of the protests, on 8 February, a group of activists approached the gates of the Monastery, prompting its closure to visitors for 48 hours. While official reactions from the Deçan/Dečani municipal leadership were mixed and in some cases appeared to encourage the protests, the Kosovo police, having responded professionally and in close coordination with KFOR, have averted the possibility of security incidents. On 5 April, members of the Kosovo Assembly attempted to hold a debate to challenge the decision of the Supreme Court. However, that move was denounced by Kosovo President Atifete Jahjaga, who publicly called for upholding respect for due process.

34. During the reporting period, the Assembly of Kosovo adopted several laws aimed at improving the rule of law and the fight against organized crime and adopted a strategy and action plan against corruption for the period 2013-2017. The reform of the justice sector is facing a number of administrative challenges, including administrative and procedural issues slowing the processing of cases. In January, the Kosovo Judicial Council, which oversees the implementation of the new Law on Courts, completed the appointment of presidents for most of the Basic Courts.

35. On 11 February, the Ombudsperson Institution published an assessment of the legality of the regulation on licensing of foreign lawyers, which stipulates reciprocity as one of the conditions to be fulfilled in order for foreign lawyers to be able to work in Kosovo. The Ombudsperson assessed that proceedings conducted by EULEX prosecutors and judges can cause "inequality of arms" and work to the detriment of defendants, since Kosovo legislation makes it difficult for them to hire international lawyers who specialize in specific areas of criminal law, including war crimes and genocide, over which EULEX has jurisdiction.

36. The European Commission report on progress achieved by Kosovo in fulfilling the requirements contained in the visa liberalization road map, provided to the Kosovo authorities on 12 February, elaborated on a range of areas for which greater progress is needed generally in the rule of law area.

37. On 26 February, the trial of six defendants accused of taking part in the March 2008 violence in northern Mitrovica commenced at the Mitrovica court. On 28 March, a panel of three EULEX judges convicted three defendants, with sentences ranging between 9 and 22 months of imprisonment. In this trial, the 6 defendants, 5 Kosovo Serbs and 1 Kosovo Roma, faced 22 criminal charges related to the events surrounding the attack on the premises of the Mitrovica court on 17 March 2008, which resulted, inter alia, in the death of 1 UNMIK police officer and injuries to 64 UNMIK police officers, 24 KFOR soldiers and around 100 protesters.

38. On 22 March, the EULEX Prosecutor in the "Medicus" case related to allegations of organ trafficking presented an amended indictment. Four new criminal offences were introduced: grievous bodily harm; fraud; and two cases of

falsification of documents. One of the defendants pled guilty to two criminal offences (abuse of official position or authority and unlawful exercise of medical activity) in exchange for the dropping of the other charges against him.

VI. Returns and communities

39. A trend towards a decrease in the number of voluntary returns recorded in the last quarter of 2012 continued in the first quarter of 2013. The Office of the United Nations High Commissioner for Refugees (UNHCR) registered 47 individual voluntary minority returnees between January and March 2013, compared to 85 reported for the same period in 2012. According to UNHCR, 18 of these returnees were Kosovo Serbs, 19 were members of the Kosovo Roma, Ashkali and Egyptian communities, 6 were Kosovo Albanians and 4 were Kosovo Bosniaks.

40. UNHCR organized seven "go and see" visits during the first three months of 2013 for some 50 displaced persons currently in Serbia and Montenegro. Three "go-and-inform" visits were organized for 41 displaced Roma, Ashkali and Egyptian persons in the former Yugoslav Republic of Macedonia.

41. Repatriations continued at a steady pace during the reporting period, with UNHCR reporting 684 readmissions between January and March 2013, including 236 forced returns and 22 induced voluntary returns of persons from non-majority communities. Repatriated persons continue to face obstacles to sustainable reintegration, including their limited access to property and housing, as well as difficulties accessing basic services and economic opportunities. While the number of successful assistance requests increased compared to the same period in 2012, the allocation of reintegration funds remains difficult owing to a protracted approval procedure. Immediate assistance is often limited only to emergency food and non-food items.

42. UNHCR provided assistance to 454 individuals to obtain personal documentation and resolve civil status issues during the first three months of 2013. In response to a UNHCR request, on 14 March the Civil Registration Agency in the Ministry of Internal Affairs decided to waive penalties and fees for civil status services for members of the Roma, Ashkali and Egyptian communities for a period of one year.

43. Security incidents continued to affect the returnee areas. A rocket-propelled grenade attack on the house of a mixed Kosovo-Serb/Kosovo-Albanian household on 11 April in the ethnically mixed neighbourhood of Lug in the Istog/Istok town damaged the house. The attack was swiftly condemned by the Kosovo authorities and is being investigated. The Mayor of Istog/Istok issued a statement condemning the attack and has undertaken to provide funds for the repair of the house.

44. During April, Kosovo police undertook several operations against organized crime. On 3 April in Podujevë/Podujevo Municipality, Kosovo police detained six Kosovo Albanian suspects and confiscated 800 rounds of assorted ammunition. On 12 April in Pristina, Prizren, Pejë/Peć and Mitrovica regions Kosovo police apprehended six Kosovo Albanian suspects (two of them police officers) and confiscated various weapons, ammunition and documents. Through a number of anti-drug operations, Kosovo police seized a considerable amount of narcotic substances, including marijuana and heroin.

45. During the reporting period, UNMIK donated equipment, including vehicles, computers and related equipment, containers and stationery to municipalities and institutions across Kosovo on the basis of its comprehensive evaluation of requests and needs. Priority was given to ethnically mixed and minority areas and Municipal Offices for Communities and Returns, civil society organizations and schools and clinics operating in such areas.

VII. Cultural and religious heritage

46. In accordance with the agreement reached on the matter in the European Union-facilitated dialogue, a specialized unit for the protection of cultural heritage and religious sites was established in the Kosovo police. The unit, dedicated to the protection of Serbian Orthodox sites, became operational in March, and has four sub-units covering Pristina, Prizren, Pejë/Peć and Mitrovica. The recruitment of senior officers is currently ongoing. The multi-ethnic police unit will replace the Kosovo Police Division of Public Security, which has provided static protection for 29 cultural heritage sites across Kosovo since 2009.

47. The implementation of the laws on the Village of Hoçë e Madhe/Velika Hoča and on the Historic Centre of Prizren, after a long delay and some contentious debates, has begun, following intensive advocacy by the central authorities in Kosovo, as well as by the European Union and the diplomatic community. On 30 January, the Municipal Assembly of Rahovec/Orahovac indicated, for the first time, its commitment to fulfil its obligations under the law. However, the Municipal Assembly postponed a decision on the establishment of the Council that represents the interests of the village in the field of promotion and protection of cultural heritage and in the field of rural planning. More progress was observed in Prizren, where the Municipal Assembly approved, in principle, the establishment of the Council for Cultural Heritage of the Historic Centre of Prizren and appointed its members.

48. The Implementation Monitoring Council, which deals with the protection of 44 Protective Zones that were defined around a select number of Serbian Orthodox sites, was established and held its first meeting on 26 February. This new body is co-chaired by the European Union Facilitator for the Protection of the Religious and Cultural Heritage of the Serbian Orthodox Church in Kosovo, the Ministry of Environment and Spatial Planning, the Ministry of Culture, Youth and Sports and OSCE.

VIII. Human rights

49. The Human Rights International Contact Group, co-chaired by UNMIK and the Office of the United Nations High Commissioner for Human Rights (OHCHR) and composed of UNMIK, the United Nations Children's Fund (UNICEF), the United Nations Development Programme (UNDP), OHCHR, the European Union, EULEX, the Council of Europe, OSCE and the two subgroups — on security of non-majority communities and on property rights — continued to strengthen Kosovo-wide coordination for monitoring human rights trends and for joint advocacy.

50. Reporting to human rights bodies on Kosovo continued to be a key activity of the Mission. During the reporting period, the Mission submitted a report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women covering the period 1999-2007 to the United Nations Committee on the Elimination of Discrimination against Women in close consultation with the Office of the Prime Minister. UNMIK continued to liaise with international and local actors to ensure the timely submission of the report on the implementation of the Convention on the Rights of the Child in Kosovo to the Committee.

51. In January, the Kosovo authorities appointed the Language Commissioner. The latter will be responsible for reporting on and facilitating the implementation of legislation on the equal status of official languages in Kosovo.

52. As a response to a series of incidents affecting the lesbian, gay, bisexual and transgender (LGBT) community that took place late last year, four Special Rapporteurs of the Human Rights Council conveyed in January through my Special Representative a joint letter to the Kosovo authorities. The OHCHR Stand-alone Office in Kosovo has closely followed the steps taken by the authorities in order to report back to the Special Rapporteurs. LGBT rights issues were also extensively discussed at the meeting of the Stabilization and Association Process Dialogue Justice, Freedom and Security Sector Committee from 19 to 21 March.

53. On 18 December, the Assembly of Kosovo's Committee on Human Rights, Gender Equality, Missing Persons and Petitions completed its monitoring of the implementation of the anti-discrimination law and issued a report recommending that the law be amended to provide clearer procedures for the protection of victims. The report was endorsed by the Assembly on 12 March. Amending the anti-discrimination law is a priority on the legislative agenda for 2013 and is expected to be finalized by October 2013.

54. The drafting of the Kosovo Strategy and Action Plan for the implementation of Security Council resolution 1325 (2000) on women, peace and security has been conducted through a wide participatory process and has entered the final stages. Progress was recorded in the promotion of gender equality in Kosovo municipal governance. The Municipal Assembly of Ranillug/Ranilug approved its draft regulation on gender equality following a public debate held on 20 February.

55. In March 2013, the first reading of the draft law amending and supplementing the law on the status and rights of martyrs, invalids, veterans, members of the Kosovo Liberation Army, civilian victims of war and their families passed the Kosovo Assembly. The proposed amendments aim at including an important category, namely, the survivors of sexual violence occurred during the conflict. Some of the discussion resulted in heated and emotional debates and in personal threats against a human rights defender and a journalist.

56. In the area of education, UNICEF supported the Ministry of Education, Science and Technology in testing the in-service training programme for preschool teachers based on the Early Learning Development Standards. Tests involving over 200 preschool and kindergarten teachers were conducted in six municipalities. Once finalized, the training programme will be made available to all preschool teachers and principals and will include pre-primary classes in public, private and community-based centres.

57. UNICEF, along with UNMIK, OHCHR, UNHCR and OSCE, also supported and coordinated the midterm review of the Strategy and Action Plan for 2009-2015 on Integration of Roma, Ashkali and Egyptian Communities conducted by the Office of the Kosovo Prime Minister. The process is designed to enhance the responses and optimize the use of resources dedicated to the needs of these communities.

IX. Observations

58. I welcome the "First agreement on principles governing the normalization of relations", reached in the framework of the European Union-facilitated dialogue on 19 April. This is a historic achievement. As a result, the prospects for overcoming the legacy of the past conflict and achieving reconciliation, stability and prosperity are brighter than ever. I deeply appreciate the key role of the European Union, in particular the active, skilful and sustained involvement of the High Representative for Foreign Affairs and Security Policy of the European Union, who stewarded these sensitive and difficult negotiations towards this landmark agreement.

59. I strongly commend the political leadership in Belgrade and Pristina, who have demonstrated the steadfastness, the political foresight and the leadership needed to make genuine progress possible. Through their committed and unwavering efforts, the prospects for a better future for all the people in the region have been substantially raised.

60. The results achieved in the dialogue pave the way for long-term normalization of relations between Belgrade and Pristina. The same spirit of determination, compromise and good will should guide the implementation of the agreement. The international community should give its active and full support to the parties in this regard.

61. Both sides should maintain open channels of communication as the process moves to its next phase. They should also engage with key respective constituencies to ensure support for the agreement and its practical implementation on both sides of the Ibar/Ibër River.

62. I am encouraged by the close cooperation among the international presences and the diplomatic community in Kosovo. They have continued to work in close concert, both in response to issues on the ground and direct support to the political process.

63. At the same time, challenges in achieving reconciliation among communities still remain significant, as witnessed by the destruction of the Serbian Orthodox cemeteries during this past period. I welcome the unified position of the international community and prompt action taken by the Kosovo authorities, in particular the Kosovo police.

64. The continuing tensions and the pattern of unsolved crimes in Kosovo remain of concern. Local leaders and the public should work closely with the international presences in order to tackle these problems. The surge of violence in northern Mitrovica in recent months underscores the need for such collaborative approach. The UNMIK Administration Mitrovica will continue to conduct its local community mediation and facilitation functions in close cooperation with all sides.

65. UNMIK, in support of the positive achievements in the dialogue, will further focus its efforts on promoting reconciliation across communities in Kosovo. I am grateful to my Special Representative, Farid Zarif, for his leadership and foresight in stewarding the international resources for the benefit of all communities and to ensure unity of effort with international and local partners on the ground. I thank all UNMIK staff and the United Nations agencies, funds and programmes for their dedication and contributions in Kosovo.

66. I also extend my gratitude to long-standing partners on the ground — KFOR/North Atlantic Treaty Organization, the European Union and OSCE — for their support and close cooperation with UNMIK.

Annex I

Report of the European Union High Representative for Foreign Affairs and Security Policy to the Secretary-General on the activities of the European Union Rule of Law Mission in Kosovo

1. Summary

The European Union Rule of Law Mission in Kosovo (EULEX) continued to undertake monitoring, mentoring and advising activities in the rule of law sector and to implement its executive functions, in accordance with its mandate. Mixed panels of local and EULEX judges have either ruled or are in the process of adjudication in a number of high profile war crimes, corruption and organized crime cases. The joint interim common crossing points at Mutivodë/Mutivode (gate 4) and Depce/Muçibabë (gate 6) became operational on 28 February. This concludes the process of establishing common crossing points that had started with the inauguration of the Rudnica/Jarinjë (gate 1) and Merdarë/Merdare (gate 3) common crossing points on 10 December and Končulj/Dheu i Bardhë (gate 5) and Bërnjak/Tabalije (gate 31) common crossing points on 31 December. The Special Investigative Task Force continued its work, in line with its mandate, investigating allegations contained in the report of the Council of Europe Special Rapporteur, Dick Marty, of January 2011. In January 2013, EULEX and Kosovo police provided essential input into a Europe-wide police operation coordinated by the European Union Police Office (EUROPOL) related to the smuggling of migrants from the Syrian Arab Republic, Libya and Turkey to Western Europe. In northern Kosovo, a joint EULEX, Kosovo police and KFOR operation produced positive results in stopping a string of hand grenade attacks in northern Mitrovica. However, attacks by explosive devices on the police stations in Zvečan/Zveçan and Leposavić/Leposaviq demonstrated that challenges remain.

2. EULEX activities, January to April 2013

General

The new Head of Mission, Bernd Borchardt, assumed duties on 1 February 2013. The new Deputy Head of Mission, Joëlle Vachter, took office on 4 March.

On 12 February, the second Structured Dialogue on the Rule of Law and the second Visa Liberalization Dialogue meetings in Pristina with EULEX participation took place between the European Union Commission and the Kosovo authorities. The next meeting is scheduled to take place in September. EULEX continues to support Kosovo in implementing the requirements identified in the Commission's visa liberalization road map. EULEX experts will also monitor, through their own indicators, progress in this field.

On 7 March, the Joint Rule of Law Coordination Board was convened. A number of issues were discussed, including the Kosovo Correctional Services and the need to continue working on its staffing, especially recruiting additional Kosovo Serb correctional officers to ensure sufficient staffing for the implementation of the road map for prisoner escort in the north. The increasing efficiency of the Special

Prosecution Office of Kosovo was also discussed, as was the Compact Tracking Mechanism, which is used to take stock of the progress achieved so far in implementing the joint Compact Actions.

On 25 and 26 March, Mr. Borchardt made his first official trip to Belgrade, where he met with the President of Serbia, Tomislav Nikolić. The Head of Mission also met Serbian Prime Minister Ivica Dačić, and First Deputy Prime Minister Aleksandar Vučić. During his meetings, he stressed the importance of cooperation in the rule of law area to combat crime with a regional dimension. Among other issues discussed were the situation in northern Kosovo and EULEX support to the implementation of agreements reached in the European Union-facilitated Pristina-Belgrade dialogue. Mr. Borchardt also met the Director of the Serbian Office for Kosovo, Aleksandar Vulin, European Union Ambassadors, representatives of civil society and the media.

KFOR has completed the planning process for transferring guarding responsibilities ("unfixing") of the Peć Patriarchate to the Kosovo police. As in previous handover processes, EULEX will be involved in assessing the readiness of the Kosovo police to take over responsibilities.

War crimes

On 1 February, a mixed panel of one EULEX judge and two local judges at the Prizren Basic Court acquitted seven defendants charged with war crimes because of lack of evidence. On 4 March, the EULEX presiding judge extended the detention on remand of 4 of the 10 defendants in the so-called Kleçkë/Klečka retrial case until 4 May. On 6 March, upon appeal, a panel of one local and two EULEX judges replaced detention on remand with house detention for four other defendants in the case (including Fatmir Limaj). On 22 March, the panel granted the appeals of the four defendants whose detention was extended and released them into house detention. The retrial is expected to start in the second half of April.

On 25 March, a panel of one local and two EULEX judges began the trial in the war crimes case against Latif Gashi et al. (Llapi group case). Gashi was a Kosovo Liberation Army (KLA) commander who is currently a Member of the Assembly of Kosovo. During the first trial in 2003, the three defendants were sentenced to terms of imprisonment varying from 10 to 17 years. The first verdict was appealed by the defendants and the prosecutor. The Supreme Court of Kosovo, with its decision of 21 July 2005, returned the case for retrial. The retrial was completed on 2 October 2009, sentencing Latif Gashi to six years, Nazif Mehmeti to three years and Rrustem Mustafa to four years of imprisonment. The verdict was appealed by all defendants. On 26 January 2011, the Supreme Court, partially granting the appeals of three defendants, returned the case to the first instance court for a (second) partial retrial. The trial will continue throughout April.

On 17 April, a panel of three EULEX judges at the Mitrovica Basic Court acquitted Jovica Dejanović of the war crime of rape. Đorđe Bojković was acquitted of the charge of war crimes, but was sentenced to one year and six months suspended prison sentence for unauthorized ownership, control, possession or use of weapons.

Organized crime and corruption

On 23 January, a mixed panel of one Kosovo and two EULEX judges at the Pejë/Peć Basic Court convicted nine defendants of smuggling migrants. They were given prison sentences ranging from six months to four years.

On 29 January, EULEX and the Kosovo police took part in a Europe-wide EUROPOL coordinated police operation related to the smuggling of migrants from the Syrian Arab Republic, Libya and Turkey to Western Europe. The operation led to the arrests of 103 persons, with 117 searches conducted. In Kosovo, EULEX and the Kosovo police arrested three persons. Another suspect had already been arrested a week earlier, in addition to 11 others arrested in 2011 and 2012. EULEX had also supported the operation through criminal intelligence. In Kosovo, the case is being investigated by a EULEX prosecutor. An indictment has been filed against three suspects and the main trial is due to begin later in April. However, investigations are still ongoing and other suspects remain at large.

On 31 January, a panel of three EULEX judges at the Mitrovica Basic Court sentenced two people to one and one-and-a-half years of prison for unauthorized purchase, possession, distribution and sale of narcotics.

On 14 February, a EULEX pretrial judge at Gjilan/Gnjilane Basic Court ordered one month detention on remand for two suspects, who were arrested during a joint EULEX and Kosovo police operation under charges of terrorism and illegal possession of weapons in connection with three attacks, the most recent on 17 October 2012, on a Serbian police post in Dobrosin at common crossing point 65, between gates 5 and 6. The case is still at the pretrial stage.

On 21 February, the Kosovo police Director General, upon the recommendation of the Police Inspectorate, suspended another two Operational Support Unit officers in relation to EULEX-led investigations into allegations of mistreatment while in police custody of Kosovo Serbs temporarily detained on 7 January in Gračanica/Graçanicë on suspicion of being the unofficial close protection to the Kosovo police escort of the Director of the Serbian Office for Kosovo and Metohija. Nine officers had already been suspended in January.

On 27 February, a EULEX prosecutor filed an indictment for corruption at the Prizren Basic Court against the Mayor of Prizren, Ramadan Muja, and five other municipal officials. The case includes allegations of, inter alia, illegal use and benefit from land belonging to the Municipality of Prizren. On 25 March, following the submission of the indictment by the prosecution, the EULEX presiding judge held an initial hearing. The second hearing is scheduled for 25 April.

On 28 February, a panel of one local and two EULEX judges at the Pristina Basic Court sentenced 10 people, including a former Deputy Minister of Health, to an aggregate 17-and-a-half years of prison for corruption-related offences. Former Minister for Communities and Returns Petković was acquitted.

On 11 March, a panel of three EULEX judges at the Mitrovica Basic Court convicted two persons of criminal association with intent to commit murder and three others on drug-related charges. The sentences range from two to four-and-a-half years of imprisonment.

On 18 March, a panel of one local and two EULEX judges in the so-called Fortuna case sentenced two defendants to three and five-and-a-half years of

imprisonment, respectively. The three defendants were charged with, inter alia, organized crime. Proceedings against the third defendant were suspended during the first session and the defendant will be tried separately in the future.

On 21 March, a panel of one local and two EULEX judges continued the trial against Blerim Devolli et al. The charges include fraud and entering into harmful contracts and falsifying documents. The trial is scheduled to continue in May.

On 22 March, EULEX filed the amended indictment against Lutfi Dervishi et al. (Medicus case). The trial panel is composed of one local and two EULEX judges. Trial sessions continued throughout the first half of April. The verdict is expected to be announced during the last week of April.

On 22 March, a panel of one local and two EULEX judges continued the trial against Ilir Tolaj (former Permanent Secretary of the Ministry of Health) et al., involving 11 defendants, including former Deputy Prime Minister Bukoshi, charged with, inter alia, abusing official position or authority and tax evasion. The panel rendered two rulings allowing defendant Tolaj to be escorted to a private clinic for a medical examination and cancelling the bail given by Tolaj in 2010. Trial sessions continue in April.

On 22 March, a EULEX judge at the Mitrovica Basic Court held the initial hearing against Blerim Gecaj and Hashim Ahmeti. The two defendants are charged with organized crime and smuggling of migrants. The defence is still reviewing the evidence material, after which the judge will decide whether the trial will go ahead.

On 26 March, a panel of one local and two EULEX judges continued the trial against Sami Lushtaku et al. (Balkan Investigative Reporting Network (BIRN) case). The case relates to a number of articles published in the newspaper *Infopress* following the broadcast of a television programme that was deemed to be critical of the town of Skenderaj/Srbica and its Mayor, Sami Lushtaku. The alleged injured party, Jeta Xharra, who was the host of the programme, is an investigative journalist working for BIRN. Another defendant in the case, Rexhep Hoti, is the owner of *Infopress*. According to the prosecution, articles and opinions/letters published following the programme could be considered as a hate campaign against the journalist. The case has drawn the attention of a number of local and international NGOs and international governmental organizations. Hearings are scheduled throughout April.

On 28 March, the EULEX presiding judge held the initial hearing against Okay Altuntas et al. Okay Altuntas, Bujar Fazliu and Florent Ademaj are charged with organized crime, smuggling of migrants and money-laundering.

In March and April, the trial against Nazmi Mustafi (former Head of the Anti-Corruption Task Force within the Special Prosecution Office of Kosovo) et al. accused of trading in influence continued.

On 8 and 10 April, the so-called Ministry of Transport, Post and Telecommunication corruption case against the former Minister, Fatmir Limaj, et al. started with the initial hearing. Charges include giving and receiving bribes and obstructing evidence relating to, inter alia, tenders, while Fatmir Limaj is also charged in relation to failing to disclose the receipt of funds during the mayoral elections of 2007. After the initial hearing, the defence has the opportunity to

contest the indictment and admissibility of the evidence, after which the presiding judge will decide if the indictment will proceed to trial before a full trial panel.

On 15 April, the EULEX presiding judge held the second hearing against Valon Jashari et al., a case that involves multiple defendants and charges of, inter alia, terrorism and participation in a terrorist group. The case relates to attacks against Serbian police in 2012 at the Gjilan/Gnjilane crossing point.

On 17 April, EULEX filed an indictment against a Kosovo Albanian charged with unauthorized distribution and sale of dangerous narcotic drugs, organized crime and unauthorized possession of weapons. The defendant had been arrested in October 2012 in Pristina as part of a joint operation between EULEX and the Kosovo police.

Other key cases

On 23 January, a panel of three EULEX judges at the Mitrovica Basic Court convicted one person on charges of aggravated murder and two others of murder. They were given prison sentences of between 7 and 20 years.

On 28 March, a panel of three EULEX judges at the Mitrovica Basic Court convicted three out of the six persons on trial for the unlawful attack on the premises of the court in the northern part of Mitrovica on 17 March 2008. Marijan Ilinčić was sentenced to 1 year and 10 months, Zoran Čavić to 9 months (suspended for 1 year) and Dragan Milojević to 1 year and 6 months of imprisonment. The defendants Miodrag Ralić, Avni Krasniqi and Nebojša Jović were acquitted of all charges.

Special Investigative Task Force

The Special Investigative Task Force continued with its investigation into the allegations contained in the January 2011 report by the Council of Europe Special Rapporteur, Dick Marty, entitled "Inhuman treatment of people and illicit trafficking in human organs in Kosovo". The criminal investigation conducted by the Special Investigative Task Force into the allegations contained in the report covers a wide range of alleged crimes that include abduction, detention, mistreatment and killings, as well as the much-publicized allegations of organ harvesting and trafficking.

During the reporting period, the Special Investigative Task Force continued to consolidate and analyse information obtained from institutional sources. The Special Investigative Task Force is also undertaking its own investigative and operational activities, which have included stepping up its engagement with injured parties and victims groups in order to gather additional information relevant to the investigation. These ongoing operational activities will facilitate further engagement with individuals who may have information important for the investigation.

Cooperation with counterparts in EULEX and the International Criminal Tribunal for the Former Yugoslavia, as well as with Serbia's War Crimes Prosecutor Vukčević and judicial and law enforcement authorities of other countries relevant to the investigation, continued apace. During the reporting period, War Crimes Prosecutor Vukčević's Office proved very responsive to the Special Investigative Task Force's requests for cooperation. Discussions with Governments on matters of witness relocation and protection also progressed. However, consistent with sound prosecutorial practice, the Special Investigative Task Force does not discuss

publicly any of its findings or details of its investigative operations. This is a very intricate investigation that will take time to complete, not least because of the array of allegations being investigated, but also because it has to deal with numerous jurisdictions and includes acts alleged to have occurred 13 to 14 years ago.

The Lead Prosecutor of the Special Investigative Task Force, Clint Williamson, met a number of key European Union Government representatives in Brussels and travelled to London, Berlin, Paris and Madrid to talk about the need to further strengthen the capabilities of the Special Investigative Task Force in the light of the investigation's development and to discuss how these countries can further support the work of the Special Investigative Task Force. All underlined their support for a full criminal investigation under the auspices of the Special Investigative Task Force into the allegations contained in the report of the Council of Europe Special Rapporteur, Dick Marty. In the light of the investigation's development, agreement has also been found with European Union member States to add several positions to the Special Investigative Task Force to ensure that it retains the ability to effectively collect, analyse and process information from a wide range of sources.

Property rights

During the reporting period, the Kosovo Property Claims Commission held two sessions. Between 16 January and 15 April, it adjudicated 1,807 mainly inter-ethnic property claims. The total number of adjudicated claims stands at 35,734, with 6,685 still to be resolved.

From 16 January to 15 April, the Kosovo Property Agency Appeals Panel received 58 new appeals and adjudicated 31 appeals.

The Special Chamber of the Supreme Court rendered 94 decisions/judgments on regular claims and closed complaints in 675 cases of worker list cases. The Appellate Panel closed 43 cases.

Legislation

On 1 January, a number of important laws and amendments entered into force significantly reforming parts of the judicial framework in Kosovo, notably in relation to courts, criminal procedures and criminal code. Implementation of the new provisions has not been smooth, as best illustrated by problems encountered with the new Criminal Procedure Code. The Code, adopted only on 13 December (entered into force on 1 January 2013), left insufficient time for judges and prosecutors to become acquainted with its many new provisions. A significant number of amendments were brought into the text at the Assembly level, which led to inconsistencies that will need legal interpretation and eventual amendments to the Code. EULEX judges and prosecutors held a series of workshops to analyse the practical consequences of the new Criminal Procedure Code. From a EULEX point of view, the most serious concern related to transitional provisions that could have endangered a number of high-level EULEX cases. On 23 January, EULEX and local Supreme Court judges issued a legal opinion stipulating that the old Code should also apply to ongoing criminal proceedings for which the main trial has already commenced but not completed, and retrials of cases in which judgments entered prior to the new Code had been annulled. While not legally binding, it is expected that most judges will follow this legal opinion of the Supreme Court. Cases that

have been prosecuted under the old Code and are now awaiting main trial will need to adjust to, and apply, the new Criminal Procedure Code. The new Code also allows for media being present in courts during trials, thus greatly enhancing the transparency of the judicial process.

On 11 February, and decreed by the President on 26 March 2013, the Assembly of Kosovo adopted the Law on Extended Powers of Confiscation of Assets acquired by Criminal Offence, the Law on Amending and Supplementing the Law on Prevention of Money-laundering and Preventing of Terrorist Financing and the Strategy and Action Plan against Corruption for 2013-2017. EULEX comments on the draft laws were taken into consideration.

On 24 March, the Amendment to the Law on Preventing Money-laundering and Terrorist Financing entered into force. The amendment introduces a number of provisions that draw their inspiration from the so-called Financial Action Task Force Recommendations. The Financial Action Task Force is an intergovernmental body that sets standards for combating money-laundering and terrorist financing. The Kosovo Financial Intelligence Unit began to implement its updated standard operating procedures, which, inter alia, regulate the workflow and on-site compliance inspections of the reporting subjects. A new organizational division of the Financial Intelligence Unit into an analytical and compliance department is awaiting approval. In another positive development, a memorandum of understanding between the Financial Intelligence Unit and the Kosovo police for electronic exchange of information, ratified in February, is being implemented with five Kosovo police units now connected to the system. The Financial Intelligence Unit is fully operational and staffed.

The draft law on interception of telecommunications is still pending in the Assembly. EULEX provided comments on the draft law on amnesty.

EULEX, the European Union Office in Kosovo and the Kosovo police drafted a road map for the creation of a Kosovo police witness security unit, which is being implemented. A European Union-financed project, which is part of a region-wide initiative for the Western Balkans known as WINPRO, began operating in mid-January and will complement EULEX capacity-building. As a first step, EULEX and the project team will work together to develop standard operating procedures and job descriptions.

As part of the dialogue on implementation of the integrated management of crossing points agreement, Kosovo and Serbia endorsed the final procedure on mutual legal assistance. The procedure, which started to be implemented on 20 March, provides an official communication channel on mutual legal assistance between Kosovo and Serbia, which is facilitated by EULEX. Non-recognizing countries are also using EULEX as a facilitator for matters related to mutual legal assistance.

Kosovo continues its efforts to seek the conclusion of bilateral agreements in the sphere of legal cooperation with interested recognizing countries.

Other key issues

Following the removal of the disputed Liberation Army of Preševo, Medveđa and Bujanovac memorial in Preševo, Serbia, by Serbian police in January, a series of acts of vandalism against Serbian-Orthodox sites were reported throughout

Kosovo. The attacks were universally condemned by Kosovo institutions and the international community. EULEX police and prosecutors were closely monitoring the situation and coordinating with the Kosovo police and KFOR.

The Kosovo police reacted to reports of cemetery desecrations, which occurred in a number of places throughout Kosovo, by enhancing visibility through patrolling and by setting up static security points. In Viti/Vitina, where a Second World War monument was demolished by protestors, five police officers, including the station commander, were suspended for allegedly not responding in an adequate manner and are now the subjects of an internal investigation. Also in Viti/Vitina, five individuals, four of them minors, were arrested on suspicion of having desecrated a Serb-Orthodox cemetery there. EULEX stepped up its monitoring activity, including of mid-sized demonstrations organized in various towns.

On 19 March, the members of the Assembly of Kosovo withdrew their request to establish an ad hoc committee to examine alleged procedural violations in the "Kiçina" case. The case concerns the killing of an Albanian man who worked as an officer in the Serbian police prior to the 1999 Kosovo war, as well as his family. Three people, including two former members of the Kosovo Liberation Army, received 30-year prison sentences, but a man who was involved in the killing and provided statements of evidence of criminal wrongdoing received an 11-year prison sentence. The case is perceived by some as controversial, owing to rumours of lost evidence and that the case was built on the confession of one participant who reportedly changed his statements several times. The caucus leader of the ruling Kosovo Democratic Party instead proposed that the minutes of the Assembly discussion on the matter be sent to the relevant judicial institutions. His proposal was accepted by the Assembly. The motion to hold a debate in the Assembly of Kosovo on the "Kiçina" case was criticized by both the President of Kosovo and a number of international actors as an attempt to interfere in the independence of the judiciary.

Protests continued in Deçan/Dečani against the decision of the Special Chamber of the Supreme Court in December 2012 rejecting the land property claim by two former socially owned enterprises against the Visoki Dečani Monastery. On 5 April, members of the Kosovo Assembly tried to challenge the decision of the Special Chamber. However, this further attempt at political interference in the judiciary was criticized by the President of Kosovo, who said that legal procedures had to be respected.

On 9 April, EULEX exhumed the remains of seven presumed missing persons at a Muslim cemetery in northern Mitrovica. The victims were exhumed from unmarked graves spread throughout the cemetery. This was the result of several weeks of analysis of a variety of documents dating from the 1998-1999 conflict. EULEX believes that there could be more unmarked burials at that location.

The north

In northern Kosovo, a number of security incidents were recorded in the background of the dialogue meetings between the Prime Ministers of Serbia and Kosovo. On 20 January, two Molotov cocktails were hurled at the building of the Serbia-run municipality in northern Mitrovica and, on 27 January, an explosive device was thrown into the garden of a house belonging to a Kosovo Serb employee of the Mitrovica North Administration Office. No injuries were reported. The

Kosovo police and KFOR explosive ordnance disposal teams, Kosovo police Regional Forensics and EULEX Task Force Mitrovica investigators attended the scene.

On 24, 25 and 28 January, Kosovo Serbs blocked the main road leading to the common crossing points of Rudnica/Jainjë (gate 1) to prevent the transportation by road of Kosovo customs and police officers to the common crossing points. The other attempts were successful. On the night of 30 January, KFOR removed one of the barriers (concrete blocks) located on the Pristina-Leposavić/Leposaviq road. However, a new barricade was erected within hours.

On 30 January, a protest against the implementation of the integrated management of crossing points agreement took place in northern Mitrovica. Approximately 2,500 Kosovo Serbs attended the protest.

In February, the number of security incidents, including hand grenade explosions increased, causing largely material damage only. In one incident, which took place on 4 February, two children sustained non-life threatening injuries.

EULEX carried out a joint operation with the Kosovo police and KFOR in an effort to stop the string of hand grenade attacks in northern Mitrovica. The operation commenced in earnest on 8 March, following a build-up process of roughly one week. The operation encompassed, among others, increased patrolling in the triangle Bosniak Mahalla-Three Towers-Miner's Hill and the setting up of a number of joint EULEX-Kosovo police vehicle checkpoints in incident prone areas. Additionally, KFOR, in support of the operation, established a number of police vehicle checkpoints in designated areas within the framework of their mandate to support a "safe and secure environment". After a fortnight of sustained operations, concrete results were easily discernible. Crime rates in northern Mitrovica had plummeted by roughly 60 per cent and no serious security incidents had occurred there. The operation, which was underpinned by a EULEX media campaign aimed at canvassing local support, also enjoyed substantial logistic and personnel support from the Kosovo police Regional Command North.

The absence of violent incidents in northern Kosovo was, however, brought to an end on 19 March when the police station in Leposavić/Leposaviq suffered a hand grenade attack. On 25 March, a Molotov cocktail explosive device was thrown at the yard of the Zvečan/Zveçan police station. No injuries were reported. Though crime rates decreased significantly in northern Mitrovica, the support provided by the northern police stations, Leposavić/Leposaviq, Zubin Potok and Zvečan/Zveçan, translated into strained resources in the respective municipalities and resulted in increased crime rates in those areas.

On 1 April, unknown perpetrator(s) set fire to the premises housing the office of the Civic Initiative "Serbia, Democracy, Justice" in northern Mitrovica, causing material damage. The Chairman of the Civic Initiative and former Serbian Government's Secretary in the Ministry for Kosovo, Oliver Ivanović, stated that the incident was probably politically motivated since he did not have personal disputes with anyone. The Head of the parallel Mitrovica District Radenko Nedeljković condemned the attack.

On 7 April, unknown perpetrator(s) threw stones and broke the windows of the offices of the Serb Progressive Party in northern Mitrovica. The Kosovo police have opened an investigation into the issue. The incident, coming on the eve of the

Serbian Government's reply to a proposed solution for northern Kosovo within the framework of the European Union-facilitated Belgrade-Pristina dialogue, prompted a call by the leader of the parallel Mitrovica municipality for unity and harmony among all political actors in northern Kosovo.

Dialogue implementation

The common crossing points at Mutivodë/Mutivode (gate 4) and Depce/Muçibabë (gate 6) became operational on 28 February. That concluded the process of establishing common crossing points that had started with the inauguration of the Rudnica/Jainjë (gate 1) and Merdarë/Merdare (gate 3) common crossing points on 10 December and the Končulj/Dheu i Bardhë (gate 5) and Bërnjak/Tabalije (gate 31) common crossing points on 31 December. Both sides are beginning to interact, with regular meetings held at local and regional commander levels.

On 24 January, EULEX facilitated a meeting of the parties with the Systematic Electronic Exchange of Data EU project team in Rome. Both agreed to implement the system.

On 27, 28 and 29 March, members of the implementation group on the integrated management of crossing points agreement undertook joint site visits to the common crossing points to identify the exact locations for the permanent common crossing points and to confirm exact coordinates as agreed at the implementation group meeting of 12 December 2012.

EULEX has continued to monitor the Kosovo police progress in setting up a central unit with the specific task of protecting the 23 religious and cultural heritage sites currently under static police protection 24 hours a day, 7 days a week. The unit, which was part of an agreement reached in the dialogue during the first meeting of the two Prime Ministers (on 19 October), became operational on 4 March; however, recruitment is still ongoing. The new unit, which is envisaged to be staffed with 209 police officers, is divided into four regions. The Head and Deputy Head of the unit are located in the Kosovo police General Police Directorate in Pristina within the Specialized Unit. The Head of the Unit and the Chief of Mitrovica Region are both Kosovo Serbs.

During the reporting period, 1,578 civil registry books were certified. The total of all certified copies has reached 2,626. The Project Steering Committee has decided to enhance the number of staff with five people and extend the project until February 2014, in order to complete the scanning of the remaining 1,700,000 pages of text.

Approved by Bernd Borchardt
Head of Mission

Annex II

Composition and strength of the police and military components of the United Nations Interim Administration Mission in Kosovo

Composition and strength of the police component of the United Nations Interim Administration Mission in Kosovo

(as at 15 April 2013)

Country	*Number*
Croatia	1
Germany	1
Hungary	1
Italy	1
Turkey	1
Ukraine	1
Total	**6**

Composition and strength of the military liaison component of the United Nations Interim Administration Mission in Kosovo

(as at 15 April 2013)

Country	*Number*
Czech Republic	1
Poland	1
Norway	1
Republic of Moldova	1
Romania	2
Turkey	1
Ukraine	1
Total	**8**

Map No. 4130 Rev. 54 UNITED NATIONS
May 2013

Department of Field Support
Cartographic Section